

FILED
DISTRICT COURT OF GUAM

JAN 14 2005

MARY L.M. MORAN
CLERK OF COURT

DISTRICT COURT OF GUAM
TERRITORY OF GUAM

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JULIE BABAUTA SANTOS, *et al.*,

Civil Case No. 04-00006

Petitioners,

vs.

FELIX A. CAMACHO, etc., *et al.*,

ORDER

Respondents.

This case is scheduled to come before the Court on January 19, 2005 for hearing on various motions filed by the Petitioner and the Attorney General of Guam (the "Attorney General"). On January 13, 2005, Respondent Felix P. Camacho, Governor of Guam (the "Governor"), filed a Motion to Quash or Modify Subpoenas Ad Testificandum for Hearing of January 19, 2005 (the "Motion"). The Attorney General had subpoenaed the Governor, his legal counsel, and various members of his staff to provide testimony at the January 19, 2005 hearing. The Governor and those subpoenaed, however, have plans to attend the Presidential Inauguration in Washington, D.C. on January 20, 2005.

The Motion asserts that the testimonies of the Governor and other members of his staff are not necessary or germane to the issues to be discussed at the January 19, 2005 hearing. The Court, however, disagrees and believes their presence is necessary to the resolution of factual disputes that have been raised in the pleadings. The Court itself may wish to question these

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1 individuals.¹ Accordingly, the request to quash the subpoenas is DENIED.

2 As for the alternative request to postpone the hearing date to accommodate the travel
3 schedule of the Governor and his staff, the Court finds that this request is reasonable.

4 Accordingly, the hearing on the motions shall be moved to January 25, 2005 at 10:00 a.m.

5 SO ORDERED this 14th of January 2005.

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8 JOAQUIN V.E. MANIBUSAN, JR.
9 United States Magistrate Judge
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25 ¹ The Court further notes that there are assertions that the Governor “was never
26 consulted with regard to the June 2004 settlement agreement entered into by Attorney General
27 Moylan and [then] Acting Governor Moylan.” See Decl. R.J. Jacob (Docket No. 91) at ¶2 and
28 Exhibit A (September 16, 2004 letter from Shannon Taitano to Stephen A Cohen) thereto at
p.1. The Governor’s participation at the hearing will preclude such allegations of a lack of
involvement from being raised in the future.